UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	DOCUMENT ELECTRONICALLY FILED DOC #:_ DATE FILED: 01/20/2022
MAGDY LABIB,	
Plaintiff,	:
	: 21-cv-2658 (LJL)
-V-	:
	: <u>ORDER</u>
CITIGROUP GLOBAL MARKETS HOLDINGS INC.,	:
	:
Defendant.	:
	X

LEWIS J. LIMAN, United States District Judge:

Pro se Plaintiff Magdy Labib is hereby ORDERED, by <u>February 10, 2022</u>, to file a letter on the docket explaining why this case should not be dismissed for failure to prosecute or to timely serve the defendant.

The complaint in this action was filed on March 26, 2021. Dkt. No. 1. The Order of Service directed Plaintiff to serve the summons and complaint on Defendant Citigroup Global Markets Holdings, Inc. within 90 days of the issuance of the summons. Dkt. No. 10. The Order of Service specifically noted that "[i]f within those 90 days, Plaintiff has not either served Defendant or requested an extension of time to do so, the Court may dismiss the claims against Defendant under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute." *Id.* The summons was issued on May 4, 2021. Dkt. No. 11. As of January 20, 2022, the docket does not reflect proof of service.

On May 6, 2021, the Court scheduled an Initial Pretrial Conference by telephone in this case for May 26, 2021. Dkt. No. 13. On May 13, 2021, Defendant requested that the conference be adjourned and noted that it had not yet been served with process in the action. Dkt. No. 14. Defendant requested that the conference be rescheduled after the resolution of its anticipated motion to dismiss once the complaint had been served. *Id.* On May 14, 2022, the Court granted the request and adjourned the conference until after a decision on the motion to dismiss. Dkt. No. 16. Since then, there has been no activity on the docket by Plaintiff.

The Clerk of Court is respectfully directed to mail of copy of this Order to the pro se Plaintiff.

SO ORDERED.

Dated: January 20, 2022

New York, New York

LEWIS J. LIMAN United States District Judge